

EXHIBIT 5

SUPREME COURT OF THE STATE OF NEW YORK
 COUNTY OF NEW YORK

PACIFIC ALLIANCE ASIA OPPORTUNITY
 FUND L.P.,

Plaintiff,

-against-

KWOK HO WAN a/k/a KWOK HO a/k/a GWO
 WEN GUI a/k/a GUO WENGUI a/k/a GUO
 WEN-GUI a/k/a WAN GUE HAOYUN a/k/a
 MILES KWOK a/k/a HAOYUN GUO,

Defendant.

Index No. 652077/2017

Hon. Barry R. Ostrager
 IAS Part 61

Motion Sequence No. 003

**AFFIDAVIT OF
 YAN PING WANG**

STATE OF NEW YORK)
) ss.:
 COUNTY OF NEW YORK)

YAN PING WANG, being duly sworn, deposes and says that:

1. I am the President of Golden Spring (New York) Ltd., and in that capacity serve as an administrator for the interests of the defendant, sued herein as Kwok Ho Wan, a/k/a Kwok Ho, a/k/a Gwo Wen Gui, a/k/a Guo Wengui, a/k/a Guo Wen-Gui, a/k/a Wan Gue Haoyun, a/k/a Miles Kwok, a/k/a Haoyun Guo (“Mr. Kwok”), and his family. I submit this affidavit in opposition to the application of plaintiff Pacific Alliance Asia Opportunity Fund L.P. (“PAX”) seeking an attachment of real property located on the eighteenth floor of the Sherri Netherland Hotel, 781 Fifth Avenue, New York County, City and State of New York (“the Apartment”).

2. Mr. Kwok’s ownership interest in the Apartment, through a limited liability company, is not in real property. Rather, it consists of an ownership interest in certain shares of The Sherry-Netherland, Inc., a cooperative housing association and owner of the

Sherry-Netherland Hotel, and the assignment of a proprietary lease agreement for Unit 18 (the “Proprietary Lease Agreement”). The funds used to purchase the Apartment came from family and third-party funding unrelated to the loan at issue in this action.

3. The shares of The Sherry-Netherland, Inc., and therefore the Apartment itself, are not owned by Mr. Kwok individually. Genever Holdings LLC, a domestic limited liability company (“Genever USA”) is both the owner of the shares in The Sherry-Netherland, Inc. and the holder of the Proprietary Lease Agreement.

4. Genever USA is owned by Genever Holdings Corporation, a corporation organized and existing under the laws of the British Virgin Islands (“Genever BVI”). Mr. Kwok is the sole shareholder of Genever BVI. Annexed hereto as Exhibit A is a true and correct copy of the register of members of Genever BVI confirming that Mr. Kwok is its sole shareholder.

5. Pursuant to a pledge and security agreement entered into in or about May 2015, all of the shares of Genever BVI have been pledged as collateral to a third party Roscalitar 2, an exempted company incorporated in the Cayman Islands. Roscalitar 2 is not owned by Mr. Kwok. Annexed hereto as Exhibit B is a true and correct copy of a certificate of registration of charge confirming that the assets of Genever BVI, which by virtue of its ownership of Genever USA include the Apartment, were pledged to Roscalitar 2 in or about May 2015.

6. Annexed hereto as Exhibit C are three property acceptance confirmation notes for the three (3) apartments which were the subject of the settlement deeds entered by the parties. These documents, which demonstrate that possession of the apartments was delivered to

and accepted by the PAX entities on or about November 14, 2013, were provided by Savills, the property management company.



YAN PING WANG

Sworn to before me this
15th day of May, 2018



Notary Public

Amy K. Hawk
Notary Public, State of New York
No. 0146192626
Qualified in Queens County
Commission Expires Sept. 2, 2020

Genever Holdings Corporation

Registered No.
1862840

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Register of Members as of 18-Feb-2015

Currency Code	Share Class	Share Class Description	Authorised	Par Value	Issued Shares	Share Premium
USD	ORD	Ordinary Shares	50,000	0.001	1,000	0

Share Holder Mr Ho Wan Kwok
49th Floor
Bank of China Tower
No.1 Garden Road
CENTRAL
Hong Kong

Date Appointed. 13-Feb-2015 Date Ceased to be a Member

Posting Date	Certificate No.	Shares	Amount	Running Balance	Share Premium	Description
13-Feb-2015	1	1,000	1.00	1.00	0.00	Issue of a Fully Paid 0.001 USD ORD Share.
Total for Share Holder. .		1,000		1.00	0.00	